

AMENDED IN ASSEMBLY JUNE 14, 2005

AMENDED IN SENATE MARCH 14, 2005

SENATE BILL

No. 185

Introduced by Senator Battin

February 10, 2005

An act to amend *Section 9 of Chapter 731 of the Statutes of 1998*, and to amend *Section 10 of Chapter 974 of the Statutes of 2002*, relating to state property.

LEGISLATIVE COUNSEL'S DIGEST

SB 185, as amended, Battin. State property: armory: lease.

Existing

(1) Existing law authorizes the Director of General Services, with the approval of the Military Department and the State Public Works Board, to convey to the Roman Catholic Bishop, Sacramento a corporation sole/St. Francis High School, approximately 6 acres of property known as the 58th Street Armory, with consideration for the exchange to be a replacement facility constructed on other state or federal lands available to the Military Department and cash as necessary to equalize the transaction and reimburse the Department of General Services for its costs, subject to specified conditions.

Existing law creates in the State Treasury the Armory Fund money in which are available, upon appropriation by the Legislature, for the maintenance of existing armories and for the acquisition or construction of new or replacement armories.

This bill instead would authorize the director, with the approval of the Military Department and the State Public Works Board, to grant to the corporation an option to purchase or lease with option to purchase the property, with the option to be exercised within 90 days from completion of a replacement facility, subject to specified

conditions. It would provide that the net proceeds of any moneys received from the disposition of properties under these provisions that are armories shall be deposited in the Armory Fund and available for appropriation in accordance with existing law.

(2) Existing law authorizes the Director of General Services, with the concurrence of the Adjutant General, to lease approximately 1.4 acres of property known as the 58th Street Armory to the Archdiocese of Sacramento, for a period not to exceed 7 years, for purposes of constructing a parking lot.

This bill instead would authorize the director, with the concurrence of the Adjutant General, to lease the property to the archdiocese for a period not to exceed 11 years, and would include maintaining the parking lot within the purposes of the lease.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 9 of Chapter 731 of the Statutes of 1998
2 is amended to read:
3 Sec. 9. The Director of General Services, with the approval of
4 the ~~Department of the Military Department~~ and the State Public
5 Works Board, may ~~convey grant~~ to the Roman Catholic Bishop,
6 Sacramento a corporation sole/St. Francis High School, *an option*
7 *to purchase or a lease with option to purchase*, the real property
8 located at 1013 58th Street in the City of Sacramento, known as
9 the 58th Street Armory, comprising approximately six acres.
10 ~~Consideration for exchange of the real property shall be The~~
11 ~~option shall be exercised within 90 days from completion of a~~
12 ~~replacement facility of size and quality specified by the~~
13 ~~Department of the Military Department. The replacement facility~~
14 ~~shall be constructed to National Guard bureau criteria on other~~
15 ~~state or federal lands available to the Department of the Military~~
16 ~~and cash as necessary to equalize the transaction and reimburse~~
17 ~~the Department of General Services for its costs. In the event that~~
18 ~~the costs of design, appraisals, state administrative costs, and~~
19 ~~construction exceed the value of the 58th Street Armory, the~~
20 ~~Roman Catholic Bishop, Sacramento a corporation sole/St.~~
21 ~~Francis High School, shall be obligated to pay the costs, and the~~
22 ~~state shall have no obligation and shall not pay for any costs~~

1 ~~associated with the replacement facility. The exchange Military~~
2 ~~Department that have been certified by the state for occupancy.~~
3 ~~The option to purchase or lease with option to purchase~~
4 ~~agreement shall be under terms and conditions that the Director~~
5 ~~of General Services determines to be in the best interest of the~~
6 ~~state. The exchange agreement shall not be effective until the~~
7 ~~improvements are certified by the state for occupancy, which~~
8 ~~shall not exceed three years from the date of the exchange~~
9 ~~agreement; however, this period may be extended in the event of~~
10 ~~damage, destruction, or acts of God net proceeds of any moneys~~
11 ~~received from the disposition of properties described in this~~
12 ~~section that are armories under the jurisdiction of the Military~~
13 ~~Department shall be deposited in the Armory Fund established~~
14 ~~pursuant to Section 435 of the Military and Veterans Code, and~~
15 ~~shall be available for appropriation in accordance with that~~
16 ~~section.~~

17 **SECTION 1.—**

18 *SEC. 2.* Section 10 of Chapter 974 of the Statutes of 2002 is
19 amended to read:

20 Sec. 10. The Director of General Services, with the
21 concurrence of the Adjutant General, may lease to the
22 Sacramento Archdiocese, a corporation sole, for a period not to
23 exceed 11 years, approximately 1.4 acres of real property located
24 at 1013 58th Street in the City of Sacramento, in the County of
25 Sacramento, known as the 58th Street Armory, for purposes of
26 constructing and maintaining a parking lot, upon terms and
27 conditions deemed to be in the best interest of the state.